



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	126	Manual Of Requirements For Family Child Care Registration	8/25/2009
Subchapter:	6	Safety, Health And Program Requirements For Providers	
Section	1	Maximum number of children (N.J.A.C. 10:126-6.1)	

§10:126-6.1 Maximum number of children

(a) The provider shall care for no more than five children at any one time, except as specified in (b) below.

(b) The provider shall be permitted to care for up to three additional children, up to a maximum of eight children at any one time, only if:

1. The additional children reside with the provider and are below six years of age. Children six years of age or older who reside with the provider shall not be included in the limit of eight children; or

2. The additional children reside with the alternate provider, the substitute provider or the provider assistant, and receive care in the family child care home for no payment. The alternate provider, the substitute provider or the provider assistant shall be present when any child who resides with that person is present.

(c) The sponsoring organization may restrict the maximum number of children who may be in care on a specific date or time in a family child care home when:

1. The useable indoor and outdoor space does not permit safety and comfort;

2. There is insufficient equipment to meet the needs of the children;

3. The number and ages of the provider's own children limit the ability to provide adequate supervision;

4. There are additional responsibilities of the provider to care for another household member who may require special attention or care including, but not limited to, an elderly person or a child with a serious medical, physical, emotional or behavioral condition;

5. There are restrictions regarding the fire, zoning, health, environmental or other codes; or

6. Other factors that may cause a risk to a child's health, safety or welfare, such as damage to the home, construction or renovations.